

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

vs.

JOSHUA ANTHONY ROBLES

Magistrate's Case No. **13MJ4586**

COMPLAINT FOR VIOLATION OF
18 U.S.C. § 922(g)(1) - Felon in
Possession of a Firearm; 21 U.S.C. §
841(a)(1) – Possession with Intent to
Distribute Marijuana

The undersigned complainant being duly sworn states:


COUNT ONE

That on or about December 11, 2013, within the Southern District of California, defendant JOSHUA ANTHONY ROBLES, having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm that traveled in and affected interstate commerce, to wit: a Taurus Model PT 738 .380 caliber semi-automatic pistol with serial number 87571B; in violation of Title 18, United States Code, Section 922(g)(1).

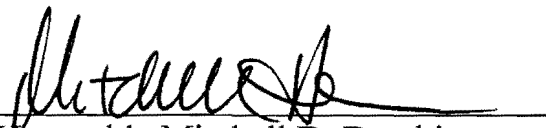
COUNT TWO

That on or about December 11, 2013, within the Southern District of California, defendant Joshua Anthony ROBLES did knowingly and intentionally possess, with intent to distribute approximately 1.8 kilograms of marijuana, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

1 And the complainant states that this complaint is based on the attached statement
2 of facts, which is incorporated herein by reference.

3 
4 Michael Wasser
DEA Special Agent

5 Sworn to before me and subscribed in my presence, this 19th day of December,
6 2013.

7 
8 Honorable Mitchell D. Dembin
9 United States Magistrate Judge

United States of America

vs.

JOSHUA ANTHONY ROBLES

PROBABLE CAUSE STATEMENT

On December 11, 2013, Drug Enforcement Administration (DEA) San Diego Field Division (SDFD), San Diego County Integrated Narcotics Task Force (NTF) Team 9 Special Agents (SAs) and Task Force Officers (TFOs) responded to a call for assistance from Deputies from the San Diego County Sheriff's Department (SDSD) and United States Marshals Service (USMS) for an indoor marijuana cultivation which had been discovered during the execution of an arrest warrant on Joshua Anthony ROBLES at 4042 Van Dyke Avenue, San Diego, California 92105.

After responding to the scene, SDSD and USMS Deputies informed agents that upon their arrival at the residence, ROBLES attempted to flee out of the back door but was met by USMS Deputies. At that time, ROBLES fled back into the interior of the residence where he was ultimately found hiding amongst clothes in a closet in the front/master bedroom and taken into custody without further incident.

Deputies subsequently located a loaded Taurus .380 caliber semi-automatic handgun on top of a nightstand to the right hand side of the bed in the same bedroom in which ROBLES was arrested. It was identified as a Taurus Model PT 738 .380 caliber semi-automatic pistol with serial number 87571B ("Taurus pistol"). A preliminary determination was made that the Taurus pistol was not manufactured in California.

Also located in the residence during the execution of the arrest warrant were the residence's primary renter/owner Margaret Ann STOUT and two 17 year old juveniles I.K. and V.C. Agents then obtained both verbal and written consent to search the house from STOUT who was later determined to be on summary

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probation with a 4th Amendment waiver stipulation. During the subsequent search, agents and officers ultimately seized: ten mature marijuana plants approximately four feet in height with visible root structures; processed marijuana weighing approximately 1.8 kilograms (gross); items used in a marijuana tetrahydrocannabinol (THC) extraction to include butane bottles, plastic cylindrical extractors and paper filters used in the production of what is commonly referred to as "honey oil" (concentrated cannabis); packaging materials and other items indicative of marijuana sales to include digital scales and "pay and owe" documents; as well as \$460.00 in U.S. currency in various denominations which had been found in STOUT's purse. Furthermore, agents also seized 76 hydrocodone pills from a safe belonging to ROBLES, who had provided agents with the combination to gain access, as well as additional suspected concentrated cannabis.

During recorded post-Miranda statements, STOUT, a previously convicted felon, informed agents that ROBLES, also a previously convicted felon, had brought the Taurus pistol into the home for safety reasons after ROBLES had been robbed at gun point. Post-Miranda, STOUT and ROBLES also admitted to marijuana sales but claimed to be involved doing so to medical marijuana patients only. ROBLES admitted to ownership of the marijuana plants and the processed marijuana but claimed not to know anything related to the Taurus pistol. However, agents located a box of .380 caliber ammunition on top of the same black Sentry safe which he admitted belonged to him as well as multiple digital photographs of the Taurus pistol in both ROBLES' and STOUT's cellular telephones. A review of text messages contained within ROBLES' Samsung Galaxy S IV cellular telephone revealed a number of references to "strap" which is known street slang for a handgun or firearm.

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In addition, officers located an outgoing text message from ROBLES' cellular telephone to a contact listed as only "Ricky" which read verbatim, "I got another dude going he's gonna put them down zip tie them grab the weed cash n leave I have gun and peperr spay but no on can get hurt I'm pushing that issue no one gets hurt let me know #HAVE#A#HAPPY#N#SAFE#420#." Officers also found, contained in the download of ROBLES' cellular telephone, numerous photographs of what appears to be the same handgun described above and photographs of ROBLES standing in his marijuana grow room as well as of him holding processed marijuana and pictures of U.S. currency.

ROBLES and STOUT were subsequently transported to the San Diego County Jail (SDCJ) where they were booked into the custody of the SDCJ for related charges. In regards to ROBLES, he was also booked into custody on an active felony arrest warrant for violating PC 459 – burglary.

A review of the jail calls made by ROBLES after his arrest revealed ROBLES making reference to a "strap". In addition, ROBLES stated: "They got me with that f****ing stupid firearm. That's gonna f*** me."

Subsequent record checks confirmed ROBLES to be a previously convicted felon.

Conviction Date	Court of Conviction	Charge	Term of Imprisonment
3/11/2005	CASC San Diego, CA	Cal. Health & Safety Code § 11378 [F]	2 years in prison
5/17/2006	CASC San Diego, CA	Cal. PC 4530(b) [F]	1 year and 4 months in prison
6/5/2007	CASC San Diego, CA	Cal. Health & Safety Code § 11378 [F]	5 years in prison
5/3/2012	CASC San Diego, CA	Cal. PC 459 [F]	2 years in prison

Request for Sealing

It is further respectfully requested that this Court issue an Order sealing, until further order of this Court, all paper submitted in support of this complaint, including the probable cause statement and arrest warrant. Sealing is necessary because premature disclosure of the contents of this probable cause statement and related documents may cause the defendant to flee and may cause destruction of evidence and may have a negative impact on this continuing investigation.